

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

DAVID DRAPER,)	
)	
Plaintiff,)	
)	No. 1:04-CV-167
v.)	
)	Magistrate Judge Susan K. Lee
PEDRO BACON, individually and as a)	
member of the Chattanooga, Tennessee Police)	
Department; and the)	
CITY OF CHATTANOOGA, TENNESSEE,)	
)	
Defendants.)	

ORDER

In accordance with the accompanying Memorandum, the Court **GRANTS** Plaintiff David Draper's motion for reconsideration (Court File No. 19, part 1). Upon reconsideration, the Court **RELIEVES** Draper of the previous summary judgment as to his false arrest/false imprisonment and excessive force claims against Defendant Pedro Bacon in his individual capacity. These claims may proceed to trial, and the parties are **DIRECTED** to contact the Court's judicial assistant to schedule a pretrial scheduling conference. The Court **WILL MAINTAIN** the summary judgments issued in favor of the City and Bacon in his official capacity and the summary judgment issued to Bacon in his individual capacity as to Draper's § 1985 conspiracy claim.

SO ORDERED.

ENTER:

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE